

REMARKS

Applicants respectfully request reconsideration of the present application in view of the foregoing amendments and in view of the reasons which follow.

Claims 2 and 3 are amended presently. Claim 4, 11, and 13 are canceled.

Applicants made minor claim amendments to the claims the examiner found allowable in order to correct the examiner's objections. Regarding the rejected claims, the examiner's basic concerns revolve around a lack of enablement and written description for the claims defined by hybridization conditions. Applicants have addressed this concern by canceling claims 4, 11, and 13. Additionally, applicants have revised claim 3 to remove part (d). Claims 10, 12, and 16, which depend off from claim 3, also should be allowable.

Further, applicants request rejoinder and allowance of withdrawn claim 9, since it recites a method of using the product of allowable claim 8 and is commensurate in scope with the allowed product claims. See CURRENT EXAMINATION PRACTICE IN VIEW OF *IN RE BROUWER* AND *IN RE OCHIAI*, http://www.uspto.gov/web/patents/biochempharm/documents/brouwer_ochiai.pps. See also *In re Ochiai*, 71 F.3d 1565, 37 USPQ2d 1127 (Fed. Cir. 1995).

The claim amendments set forth in this response place the application in condition for allowance by canceling rejected subject matter and correcting minor errors in the claims as suggested by the examiner. Accordingly, applicants request that the examiner enter these amendments and allow these claims.

With the foregoing amendments, claims 2, 3, 5-8, 10, 12 and 14-16 will be pending in this application.

Applicants believe that the present application is in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

If any fees are due in connection with the filing of this Amendment, please charge the fees to our Deposit account No 19-0741. If a fee is required for an extension of time under CFR § 1.136 that is not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted,

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By S. A. Bent

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